

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY

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### NOTICE OF JUDGMENT NO. 192, FOOD AND DRUGS ACT.

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#### ADULTERATION OF A DRUG—POWDERED COLOCYNTH.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on October 19, 1909, in the District Court of the United States for the Eastern District of Wisconsin, in a prosecution by the United States against Huber & Fuhrman Drug Mills, a corporation of Fond du Lac, Wis., for violation of section 2 of the aforesaid act in the shipment from Wisconsin to Texas, Michigan, and Ohio of powdered colocynth which was adulterated within the meaning of section 7 of the act in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopoeia, the said Huber & Fuhrman Drug Mills having entered its plea of guilty to the information filed by the United States Attorney alleging the aforesaid offenses, the court imposed upon it a fine of \$25.

The facts in the case were as follows:

On July 4, June 12, and September 19, 1908, inspectors of the United States Department of Agriculture purchased from J. J. Schott, Galveston, Tex., Michigan Drug Company, Detroit, Mich., and Theodore Rosenthal, Cincinnati, Ohio, respectively, samples of a drug contained in packages labeled and branded, respectively: "3 lbs. Strictly Pure Powdered Colocynth. Huber & Fuhrman Drug Mills, Fond du Lac, Wis.", "One pound Strictly Pure Pulverized Colocynth Apples, Cucumis Colocynthis. We warrant the contents of this box pulverized from prime stock and strictly pure, as indicated by its label, and we will give \$5.00 in gold to anyone who finds any adulteration in it. Huber & Fuhrman Drug Mills, Fond du Lac, Wis.", and "3 lbs. Strictly Pure Powdered Colocynth. Guaranteed under the Food & Drugs Act June 30, 1906. Our Serial No. 2210. Huber & Fuhrman Drug Mills, Fond du Lac, Wis." These samples were part of shipments of like drugs received by the aforesaid parties during the months of June and July, 1908, from Huber & Fuhrman Drug Mills, Fond du Lac, Wis. The samples were analyzed in the Bureau of Chemistry of the United States Department of Agriculture and

found to consist of a mixture of pulp and seeds of colocynth apples. The United States Pharmacopoeia, official at the time of investigation, prescribes that in preparing colocynth for medicinal use the seeds should be separated and rejected. As the aforesaid analysis disclosed that the drug contained seeds, it appeared that it was adulterated within the meaning of section 7 of the act in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopoeia, and the Secretary of Agriculture gave notice to the respective parties from whom the samples were procured, as well also as to the Huber & Fuhrman Drug Mills, the manufacturer and shipper of the drug, and gave them an opportunity to be heard, and it appearing that the act had been violated by the said Huber & Fuhrman Drug Mills, the said Secretary, on July 16, August 2, and August 6, 1909, respectively, reported the facts and evidence to the Attorney-General, by whom they were referred to the United States Attorney for the Eastern District of Wisconsin, who filed an information against the said Huber & Fuhrman Drug Mills, with the result hereinbefore stated.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *February 7, 1910.*